

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
(Big Stone Gap Division)**

MELINDA SCOTT,

Plaintiff,

v.

WISE COUNTY DEPARTMENT OF
SOCIAL SERVICES, *et al.*,

Defendants.

Case No. 2:20-cv-00014-JPJ-PMS

Declaration of Joshua Moon

NOW COMES Defendant Joshua Moon, and states as follows:

1. My name is Joshua Moon, and I am one of the Defendants in the above-captioned matter. I am represented by Matthew D. Hardin, whom I retained to defend this case in December, 2020.
2. Attached to this Declaration as collective Exhibit A are invoices which Mr. Hardin has sent me in this matter, all of which I have paid. As a courtesy given the circumstances of this case, Mr. Hardin has waived billing for numerous items in this matter, including but not limited to time spent in discussions with him and correspondence with him. As such, the bills I have received and paid are substantially lower than bills I might have received had Mr. Hardin sought compensation for all the time we spent discussing the case or corresponding about it.
3. I am the records custodian for Kiwi Farms (www.KiwiFarm.net). As a regular part of my day-to-day activities, I manage every aspect of the site and its software, including the networking and device management, and I am active in the management and moderation of the forum community directly.

4. The Kiwi Farms is an online discussion forum that anyone with an Internet connection and email address may join. Specific users may be “verified”. Being “verified” indicates that I have taken steps to ensure the person using an account is who they say they are. I have verified the user “Tamar Yael BatYah” is Melinda Scott. The Kiwi Farms temporarily records the IP address used when accessing the site for various moderation purposes, including for verification. I can tell if an IP is registered for commercial use or for use by residential customers, and if it's an IP “proxy” or not by looking up public information provided by the Internet Service Provider which manages the IP address.
5. The records described below or referenced below are all true and accurate copies of the records of kiwifarms.net.
6. A profile identified with Ms. Scott, with the username “Tamar Yael Batyah”, has made over 2,700 posts on Kiwi Farms. In several of those posts, the user has included images of Ms.Scott. These images include, but are not limited to, “selfies” of Ms. Scott. One one occasion, Ms. Scott intentionally posted photographs of her own (clothed) posterior on Kiwi Farms.
7. Tamar Yael BatYah’s IP addresses have consistently matched where Ms. Scott lives and where she files lawsuits from. Usually, her IP address is registered to a mobile phone or residential location in Southwest Virginia. She recently logged into Kiwi Farms on October 13, 2021 using a mobile phone from an address in Tennessee. On that date, she challenged me to something akin to a duel with her boyfriend or husband, stating “Come on Joshua Moon, Marshall won’t waste his time with lawsuits in a Court system he thinks is 100% guaranteed to be evil. You can settle it

in VA like a real man with Marshall, all fists and no attorney's fees. What do you say? @Null." She also posted intimate details regarding her sexual relationship with Marshall Casterson that same day, and stated that she does not fear a judgment against her for attorney's fees ("It's really a non-issue. Virginia Homestead Exemption and Poor Debtors for laws protect everything I own. They will be left with a piece of paper and an empty hand.").

8. "Tamar Yael Batyah's" registered email is <tco.outdoorrec@gmail.com> which is a business email associated with Melinda Scott (Ms. Scott has published books relating to outdoor recreation). The email is "verified" to belong to Ms. Scott and to Tamar Yael Batyah, meaning the Kiwi Farms account was created with the email and then a verification link was sent to the email address before any posts could be made with that profile on Kiwi Farms.
9. The website does not allow posts made by "Tamar Yael Batyah" to be edited.
10. True and accurate copies of posts made to kiwifarms.net by "Tamar Yael Batyah," which is a profile identified with Melinda Scott, are attached as collective Exhibit B. For ease of reference to specific posts made by "Tamar," I have subdivided Exhibit B into Exhibits that bear both a letter and a number (B1 through B14).
11. Specifically, "Tamar," the profile that has been identified as being Ms. Melinda Scott has stated, among other things:
 - a) "I clearly said I sued KF/Mr. Looney Mooney to further my legal education while I was out of law school... And I clearly said Im not a pacifist."

(<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-95#post-5848238>).

- b) "I don't regret filing. I maintain my dignity giving Joshua Moon the middle finger in a legal manner." (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-911#post-8374882>).
- c) "The default was entered, PERMANENTLY. The default judgment is simply an extension of that. I'll give Mr. Joshua Moon his EYE FOR EYE as long as I can! Fuck you Joshua Moon!" (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-702#post-7777910>).
- d) "The reason I filed the lawsuits, even though I'm not bothered by what is said here, is because I reason that it's better to try and be told "no" than not try at all. Instead of waking up years down the road and say "I should have sued him go remove the threads" I take care of business now. Even if the courts say "no" it's better that I at least tried instead of having regrets of not taking action."
(<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-308#post-6363111>).
- e) "And we all know that Joshua Moon is too much of a coward to fight me in mutual combat with fists on some fine Virginia soil. That's why he hides behind a computer. He knows I could kick his ass with my just my fists."
(<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-912#post-8377174>).
- f) "[M]y motives for filing lawsuits were already addressed pages and pages back. It certainly wasn't because I give a fuck what a bunch of uneducated pagans think about me, Marshall or my family. I don't value your opinions about us at all. Why would a lioness care about worms under her foot? They grovel in shit and filth in

the darkness while she moves around freely in the sunshine.”

(<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-222#post-6158804>).

- g) “You guys are bringing traffic to my scholastic work, especially my anti-Polygyny paper. So I actually am ambivalent about whether or not I want these threads removed.” (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-208#post-6024919>).
- h) “To the contrary, my publisher and I already had a talk about this site... If anything, Kiwi Farms will only help me BOOST sales because when educated people (unlike yourself) see me promoting anti-patriarchal, anti-misogynist talk, they will be more than happy to support me. I've already gotten dozens of emails from people reaching out to me about how trashy this site is and sympathetic to my cause to sue you. Opening your mouth and standing against the dumb-masses is actually what has made many politicians, sales people, and book authors FAMOUS Eat Shit.” (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-236#post-6181649>).
- i) “In fact, my arguments with you all have "inspired" a paper I am publishing next month. I'm not giving away the title early, but I think it will be a hit!” (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-716#post-7827395>).
- j) “You guys don't make me feel bad about myself at all. I love myself and I'm blessed. I wake up every day praising Elohim. Actually, the opposite is true: coming here debating you all actually makes me giddy. I get a natural high

watching you Goyim fumble in your folly.”

(<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-999#post-8949562>).

k) “My reputation on Kiwi Farms is scarcely a cause for alarm. I'm not losing anything from a bunch of uneducated pagans having a bonfire around my name. Big deal, I could care less.” (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-227#post-6168700>).

l) ““And I did it all proudly with an account that isn't anonymous.” (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-543#post-7328578>).

m) “My financial status was like that before Kiwi Farms. I take a tremendous pay cut being self employed and homeschooling.” (<https://kiwifarms.net/threads/melinda-leigh-scott-marshall-castersen.32118/page-335#post-6425220>).

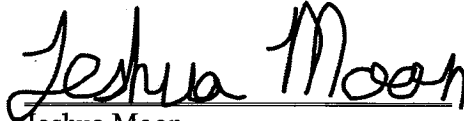
12. The foregoing statements, and all of Ms. Scott's other statements, have been made a part of Kiwi Farms' records and are maintained in our internal databases and made available on the Internet.

13. Ms. Scott has sued me repeatedly since 2017 because I refuse to remove content from kiwifarms.net. She has made clear on multiple occasions that she will continue to sue me until that content is removed, despite her failures to state a claim in every lawsuit she has filed against me to date. I fear that if this Court does not make me whole for the attorney's fees I have been forced to incur, Ms. Scott will continue to file meritless litigation against me in an attempt to either bankrupt me or force me to shut down a website that is operating lawfully.

14. Further I say nothing.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: Oct. 13, 2021


Joshua Moon